

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE  
DISTRICT OF PENNSYLVANIA**

**MUMIA ABU-JAMAL**

**Plaintiff,**

**v.**

**JOHN KERESTES, et al.**

**Defendants.**

**: Case No. 15-Cv-00967**

**:**

**: Judge Robert D. Mariani**

**:**

**: JURY TRIAL DEMANDED**

**:**

**: ELECTRONICALLY FILED**

**:**

**MOTION FOR JOINDER OF PARTIES**

Plaintiff, Mumia Abu-Jamal, through his undersigned counsel, hereby moves for the joinder of Dr. Jay Cowan as Defendant in the above-captioned action pursuant to Federal Rule of Civil Procedure 20(2). Opposing counsel for Correct Care Solutions (CCS) and defendants employed by CCS have indicated that they will oppose this motion.

1. Dr. Jay Cowan is employed by CCS, the private company contracted to provide health care to prisoners in the Pennsylvania Department of Corrections (DOC). He is the statewide medical director for CCS.
2. Pursuant to initial disclosures provided to Plaintiff's counsel in July 2017, Plaintiff has learned that in his position with CCS Dr. Cowan has been a member of the DOC's hepatitis C Committee, the body that makes treatment

decisions regarding whether incarcerated patients in DOC custody will receive treatment with direct acting antiviral medications.

3. As alleged in the proposed Fourth Amended Complaint, Dr. Cowan was a member of the Committee and participated in decisions denying hepatitis C treatment to Plaintiff Mumia Abu-Jamal.
4. Plaintiffs have attached a Fourth Amended Complaint to incorporate Cowan as a Defendant. Paragraph 17 of the Fourth Amended Complaint adds Dr. Cowan to the lawsuit. Paragraphs 50, 56, 58, 145, 146, 148-150, 153-54 make factual allegations against Dr. Cowan based on his participation in enforcing the DOC's hepatitis C protocol and denying Plaintiff treatment. Counts I and V have been amended to include Cowan. These changes are marked in bold and underlined in the attached Exhibit B pursuant to Local Rule 15(1)(b).

/s/ Bret D. Grote

Bret D. Grote

PA I.D. No. 317273

Abolitionist Law Center

P.O. Box 8654

Pittsburgh, PA 15221

Telephone: (412) 654-9070

[bretgrote@abolitionistlawcenter.org](mailto:bretgrote@abolitionistlawcenter.org)

/s/ Robert J. Boyle

Robert J. Boyle

277 Broadway

Suite 1501

New York, N.Y. 10007

(212) 431-0229

[Rjboyle55@gmail.com](mailto:Rjboyle55@gmail.com)

NYS ID# 1772094  
Admitted *Pro Hac Vice*

DATED: July 18, 2017

**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of this Motion for Joinder upon each defendant in the following manner:

Service Via ECF:

For Defendants Kerestes, DelBalso, Silva, Noel, Wetzel, Oppman, and Steinhart:

Laura Neal, Esquire

Maria Macus, Esquire

Pennsylvania Department of Corrections

1920 Technology Parkway

Mechanicsburg, PA 17050

[lneal@pa.gov](mailto:lneal@pa.gov)

[mmacus@pa.gov](mailto:mmacus@pa.gov)

For Defendants Lisiak, Khanum, Saxon, and Correct Care Solutions:

Samuel H. Foreman, Esquire

Caitlin Goodrich, Esquire

[sforeman@wglaw.com](mailto:sforeman@wglaw.com)

[cgoodrich@wglaw.com](mailto:cgoodrich@wglaw.com)

*s/ Bret D. Grote*

Bret D. Grote

Abolitionist Law Center

P.O. Box 8654

Pittsburgh, PA 15221

Dated: July 18, 2017